



JC03 Rec'd PCT/700 13 OCT 2005

#5

Docket No.: WBW-12984

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

By: [Signature] Date: September 23, 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applic. No. : 10/530,969 Confirmation No: 3217  
PCT No. : PCT/AT2003/0000306  
Applicant : Ernst Hesse et al.  
Filed : April 11, 2005  
Title : Pharmaceutical Preparation, which can be Administered Nasally  
and the Production Thereof  
Docket No. : WBW-12984  
Customer No. : 24131

LETTER

Mail Stop: PCT  
Hon. Commissioner for Patents,  
Alexandria, VA 22313-1450

Sir:

Contrary to the Notification of Missing Requirements Under 35 U.S.C. 371, the above-mentioned national stage application's declaration and surcharge were filed on May 11, 2005.

The signed declaration is in compliance with 37 CFR 1.497 (a) and (b) by identifying the application by the International application number and International filing date. The U.S. Patent Office charged our credit card account on May 13, 2005.

As a courtesy we are enclosing a copy of the filed declaration and credit card payment form.

Respectfully submitted,

[Signature]  
KERRY P. SISSELMAN  
REG. NO. 37,237

/mjb  
Date: September 23, 2005  
Lerner and Greenberg, P.A.  
Post Office Box 2480  
Hollywood, FL 33022-2480  
Tel: 954.925.1100  
Fax: 954.925.1101

10/18/2005 LLANDGRA 00000052 10530969

01 FC:2617

65.00 OP

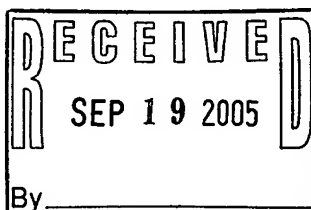


## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/530,969	Ernst Hesse	WBW-12984

24131  
 LERNER AND GREENBERG, PA  
 P O BOX 2480  
 HOLLYWOOD, FL 33022-2480



INTERNATIONAL APPLICATION NO.	
PCT/AT03/00306	
I.A. FILING DATE	PRIORITY DATE
10/09/2003	10/10/2002

CONFIRMATION NO. 3217  
 371 FORMALITIES LETTER



\*OC000000017000883\*

Date Mailed: 09/15/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 04/11/2005
- Copy of Annexes to the IPER filed on 04/11/2005
- Preliminary Amendments filed on 04/11/2005
- Information Disclosure Statements filed on 04/11/2005
- Request for Immediate Examination filed on 04/11/2005
- U.S. Basic National Fees filed on 04/11/2005
- Priority Documents filed on 04/11/2005
- Power of Attorney filed on 04/11/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- Surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 was not received in full.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Large Entity:

- \$65 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

SHELBY J VIGIL

Telephone: (703) 308-9140 EXT 224

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/530,969	PCT/AT03/00306	WBW-12984

FORM PCT/DO/EO/905 (371 Formalities Notice)